

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:
THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et*
al.,

Debtors.¹

PROMESA
Title III

No. 17 BK 3283

(Jointly Administered)

Opposition to Debtor's Omnibus Objection " Five Hundred Twenty - Six"

To the Honorable United States District Court Judge Laura Taylor Swain:

NOW COME: Rivera Garcia, Myrna (Claim No. 32127) and Valle Valdivieso, Luz (Claim No. 113154), who are judgment claimants in the case of Nilda Agosto-Maldonado Plaintiffs Group, case no. K PE 2005-0608;—through the undersigned attorney and states as follows:

1. On September 16, 2022, the Financial Oversight and Management Board for Puerto Rico, as Representative of the Commonwealth of Puerto Rico, filed the "Five Hundred Twenty - Six Omnibus Objections" (Substantive) seeking to disallow individual claims listed on Exhibit A of the reference omnibus objections by asserting that the claims included in referenced motion are not named plaintiffs in the litigation they asserts and seeks the Court Approval for the dismissal of the claim

2. That the Five Hundred Twenty - Six Omnibus Objection" is premised solely in the declaration Jay Herriman who as a Managing Director of A&M, and is one of the persons responsible for overseeing the claims reconciliation and objection process in the Debtors' cases filed pursuant to PROMESA.

3 That although Mr. Herriman asserts in his declaration, that to the best of

his knowledge, and belief, the information contained in the Five Hundred Twenty-Sixth Omnibus Objection and exhibits to it, are true and correct, and the relief requested therein is in the best interests of the Debtors and their creditors, at paragraph 5, erroneously states that the Claim filed by Valle Valdivieso, Luz (Claim No. 113154), be Disallowed and which claim is identified in Exhibit "A" do not appear in the charts or captions included in the Agosto Maldonado Master Claim or Judgment, and the claimants are therefore not plaintiffs in the Litigation.

4. In regards the Claim No. 32127, is, herein informed that on this date, the claimant have filed a Motion for Leave to Amend **Proof of Claim Knoll No. 32127**, due to the fact that by mistake or inadvertence, the POC had an error in the plaintiff's name, since the correct name of the Plaintiff's is Myrna Rivera Garcia, not Minerva, (See Docket entry No. 22622)

5. In view of the above information, it is respectfully submitted that the claims asserted by appearing claimants, does not fit the reason stated in Exhibit A to the 526th Omnibus Objection, and statements, included in Mr. Herriman declaration and dismissal or disallowance request, since this Court can verify that information provided in EXHIBIT A of the referenced omnibus objections, are inaccurate, because Movants names are included in the judgment entered in the case of Nilda Agosto Maldonado, enclosed to this Motion as Exhibit 1.¹

6. Also because the above identified claims, as therein asserted are deemed allowed under Section 502(a) of the bankruptcy Code, since the prima

¹ For the certified translation of judgement see ECF No. 18697

facie validity of the Movants Claims, has not been overcome by the Commonwealth in order for the Commonwealth to obtain the disallowance of the Movants Claims under Section 502(b) and 502(c) of the Bankruptcy Code and, therefore, the Movants Claims, as set forth in the POC should be allowed in the asserted amount of \$ \$9,111.90_and \$ 703.68_respectively, pursuant to 11 U.S.C. § 502(b)&(c), as the Commonwealth had not met its burden to overcome the prima facie validity of the above-identified claims and, as an allowed. claims may participate in the corresponding distribution that may eventually be approved in this Title III proceeding.

WHEREFORE, in view of the above and pursuant to governing law, it is respectfully requested that this Honorable Court dismiss with prejudice, the omnibus objection with respect to the individual claims above identified, since the appearing claimants are included in the Nilda Agosto-Maldonado judgment and Master claim.

RESPECTFULLY SUBMITTED, in San Juan, Puerto Rico, on October, 17, 2022.

IT IS HEREBY CERTIFIED, that on this same date we have electronically filed the Foregoing motion with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to all counsels of record.

By /s/ Ivonne González Morales
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